

OFFICIAL JOURNAL
OF THE
COMMITTEE OF THE WHOLE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

TWELFTH DAY'S PROCEEDINGS

**Thirty-fifth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 14, 2009

The Committee was called to order at 9:30 A.M. by Chairman Waddell.

On motion of Rep. Billiot, the calling of the roll was dispensed with.

Motion

On motion of Rep. Fannin, the Committee took under consideration House Bill No. 1 at this time.

HOUSE BILL NO. 1—
BY REPRESENTATIVE FANNIN
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Motion

Rep. LaFonta moved that the Committee consider House Bill No. 1 item by item.

Rep. Fannin objected.

By a vote of 17 yeas and 74 nays, the Committee refused to consider House Bill No. 1 item by item.

Rep. Fannin sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Fannin in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 17, between lines 21 and 22, insert the following:

"Payable out of the State General Fund by
Statutory Dedications out of the Overcollections
Fund to the Community Development Block
Grant Program for the Local Government
Assistance Program \$ 7,500,000

Provided, however, that any application for funding under the Local Government Assistance Program shall be accompanied by a letter from the respective senator and representative in whose district the proposed project will be located."

AMENDMENT NO. 2

On page 20, line 40, change "\$100,000" to "\$75,000"

AMENDMENT NO. 3

On page 49, line 37, change "\$16,748,676" to "\$13,663,311"

AMENDMENT NO. 4

On page 50, line 43, change "\$73,590,499" to "\$70,505,134"

AMENDMENT NO. 5

On page 51, line 27, change \$13,315,312" to "\$10,229,947"

AMENDMENT NO. 6

On page 51, line 28, change "\$73,590,499" to "\$70,505,134"

AMENDMENT NO. 7

On page 108, delete lines 24 through 26 in their entirety

AMENDMENT NO. 8

On page 108, between lines 26 and 27, insert the following:

"Payable out of Federal Funds to the
Payment to Private Providers Program \$ 79,013,864"
for one-time payments to hospitals

AMENDMENT NO. 9

On page 108, between lines 30 and 31, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 10

On page 108, between lines 35 and 36, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

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AMENDMENT NO. 11

On page 108, between lines 39 and 40, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 12

On page 108, between lines 42 and 43, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 13

On page 108, between lines 46 and 47, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 14

On page 108, after line 50, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 15

On page 109, between lines 3 and 4, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 16

On page 109, between lines 6 and 7, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 17

On page 109, between lines 9 and 10, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 18

On page 109, between lines 12 and 13, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 19

On page 109, between lines 15 and 16, insert the following:

"Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 20

On page 120, at the beginning of line 25 delete "Notwithstanding the provisions of R.S. 46:2742(B)(5)(d), the" and insert "The"

AMENDMENT NO. 21

On page 120, at the end of line 28, delete "\$987,250" and insert "\$100,000"

AMENDMENT NO. 22

On page 120, between lines 28 and 29, insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing in the Mental Health Area C Program by reducing the appropriation out of State General Fund (Direct) by \$887,250."

AMENDMENT NO. 23

On page 120, between lines 34 and 35, insert the following:

"The commissioner of administration shall increase the number of authorized positions by 67 for the Mental Health Area A Program for the New Orleans Adolescent Hospital."

AMENDMENT NO. 24

On page 123, line 38, after "Objective:" delete "For Northwest Supports and Services Center to" and insert "To"

AMENDMENT NO. 25

On page 123, line 49, after "Objective:" delete "To" and insert "For Northwest Supports and Services Center to"

AMENDMENT NO. 26

On page 130, delete line 22 in its entirety

AMENDMENT NO. 27

On page 173, between lines 21 and 22, insert the following:

"Payable out of State General Fund (Direct) to the Board of Regents for additional funding for the Early Start Program (formerly the Dual Enrollment Program) \$ 7,300,000

Payable out of State General Fund (Direct) to the Board of Regents for higher education institutions to purchase library acquisitions, pursuant to an allocation plan adopted by the Board of Regents \$ 6,200,000"

AMENDMENT NO. 28

On page 225, delete line 15 in its entirety

AMENDMENT NO. 29

On page 227, line 38, delete "\$5,600,706." and insert "\$5,171,083."

AMENDMENT NO. 30

On page 234, at the beginning of line 6, delete "to the American Cancer Society"

AMENDMENT NO. 31

On page 235, line 31, change "Parish" to "City"

AMENDMENT NO. 32

On page 237, line 37, change "47:302.51" to "47:302.52"

AMENDMENT NO. 33

On page 238, line 58, after "Richland" and before "Visitor" insert "Parish"

AMENDMENT NO. 34

On page 239, line 35, after "Development" and before "Fund" insert "and Tourism"

AMENDMENT NO. 35

On page 240, between lines 3 and 4, insert the following:

"Provided, however, that in the event that the monies in the fund exceed \$2,250,000 for the 2009-2010 Fiscal Year the funds appropriated herein out of the Jefferson Parish Convention Center Fund, \$350,000 shall be allocated and distributed to the city of Westwego - Jefferson Performing Arts Society, and \$100,000 shall be allocated and distributed to the city of Gretna - Heritage Festival. In the event that total revenues deposited in this fund are insufficient to fully fund such allocations, each entity shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 36

On page 240, between lines 20 and 21, insert the following:

"Provided, however, that out of the funds allocated under the Parish Transportation Program(R.S. 48:751-756(A) (1)) to Jefferson Parish, the funds shall be allocated directly to the following municipalities in the amounts listed:

Kenner	\$ 206,400
Gretna	\$ 168,000
Westwego	\$ 168,000
Harahan	\$ 168,000
Jean Lafitte	\$ 168,000
Grand Isle	\$ 168,000"

AMENDMENT NO. 37

On page 241, line 8, change "\$100,000" to "\$75,000"

AMENDMENT NO. 38

On page 252, line 34, change "town" to "village"

AMENDMENT NO. 39

On page 261, line 29, between "to" and "Ward" insert "the Calcasieu Parish Police Jury for"

AMENDMENT NO. 40

On page 266, line 12, change "\$25,000" to "\$50,000"

AMENDMENT NO. 41

On page 271, between lines 18 and 19, insert the following:

"Payable out of State General Fund (Direct) to Tipitina's Foundation, Inc. \$ 25,000

Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

On motion of Rep. Fannin, the amendments were adopted.

Suspension of the Rules

On motion of Rep. Downs, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

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Rep. St. Germain sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative St. Germain in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 3, between lines 7 and 8, insert the following:

"E. Notwithstanding any provision of law to the contrary, any state agency which relocates all or part of its operations to Dominion Tower in New Orleans in Fiscal Year 2009-2010 shall not pay from the monies appropriated in this Act more rent per square foot of usable space than such agency paid at its prior location."

Motion

Rep. LaBruzzo moved the previous question be ordered on the amendments.

Rep. Barrow objected.

By a vote of 57 yeas and 28 nays, the House agreed to order the previous question on the amendments.

Rep. St. Germain moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 27 yeas and 72 nays, the amendments were rejected.

Rep. Peterson sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Peterson in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 17, between lines 21 and 22 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 19,353,612."

AMENDMENT NO. 2

On page 34, between lines 26 and 27 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 1,365,949."

AMENDMENT NO. 3

On page 37, after line 52 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 5,568,392."

AMENDMENT NO. 4

On page 41, between lines 28 and 29 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 1,700,991."

AMENDMENT NO. 5

On page 42, between lines 17 and 18 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 339,320."

AMENDMENT NO. 6

On page 44, between lines 12 and 13 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$140, 802."

AMENDMENT NO. 7

On page 51, between lines 30 and 31 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 3,531,789."

AMENDMENT NO. 8

On page 56, between lines 20 and 21 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 2,052,713."

AMENDMENT NO. 9

On page 63, between lines 21 and 22 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 5,943,212."

AMENDMENT NO. 10

On page 92, between lines 5 and 6 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 4,358,181."

AMENDMENT NO. 11

On page 95, between lines 15 and 16 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 16,658,485."

AMENDMENT NO. 12

On page 146, after line 58 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 616,092."

AMENDMENT NO. 13

On page 149, between lines 17 and 18 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 1,558,108."

AMENDMENT NO. 14

On page 155, between lines 38 and 39 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 673,202."

AMENDMENT NO. 15

On page 166, after line 59 insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for the Executive Administration Program in this agency by reducing the appropriation out of the State General Fund (Direct) by \$ 639,153."

Rep. Peterson moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 30 yeas and 61 nays, the amendments were rejected.

Rep. Sam Jones sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Sam Jones in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 20, between lines 3 and 4, insert the following:

EXPENDITURES:

For Battered Women Shelters, including one (1) position	\$ 4,186,284
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TOTAL EXPENDITURES	\$ 4,186,284
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MEANS OF FINANCE:

State General Fund (Direct)	\$ 1,288,978
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State General Fund by:

Fees & Self-generated Revenues	\$ 445,083
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Statutory Dedications:

Overcollections Fund	\$ 900,000
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Battered Women Shelter Fund	\$ 92,753
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Federal Funds	\$ 1,459,470
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TOTAL MEANS OF FINANCING	\$ 4,186,284"
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AMENDMENT NO. 2

On page 138, between lines 22 and 23, insert the following:

"The commissioner of administration is hereby authorized and directed to reduce the number of authorized positions for the Child Welfare Services Program by one (1) position, and is further authorized and directed to adjust the means of finance for the Child Welfare Services Program by reducing the appropriation out of State General Fund (Direct) by \$1,288,978, by reducing the reducing the appropriation out of State General Fund by Fees & Self-generated Revenues by \$445,083, by reducing the appropriation out of State General Fund by Statutory Dedications out of the Battered Women Shelter Fund by \$92,753, and by reducing the appropriation out of Federal Funds \$1,459,470."

Rep. Sam Jones moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 38 yeas and 58 nays, the amendments were rejected.

Rep. Doerge sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Doerge in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 28, between lines 27 and 28, insert the following:

"Payable out of the State General Fund (Direct) to the Parish Councils on Aging Program for the Webster Council on Aging	\$ 50,000
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Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

Rep. Doerge moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 25 yeas and 60 nays, the amendments were rejected.

Rep. Burrell sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Burrell in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 51, between lines 30 and 31 insert the following:

"Provided, however, that of the monies appropriated herein to the Agricultural and Environmental Sciences Program \$250,000 shall be allocated for a study to be conducted by the Louisiana State University AgCenter, the Southern University AgCenter, the Louisiana State University Law Center, and the Southern University Law Center to address the decline in number of small and minority farmers in Louisiana."

Rep. Burrell moved the adoption of the amendments.

Rep. Anders objected.

By a vote of 27 yeas and 63 nays, the amendments were rejected.

Rep. Peterson sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Peterson in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 60, between lines 7 and 8, insert the following:

"Provided, however, that the \$6,000,000 and 47 positions appropriated herein shall be allocated as follows: \$391,734 for the Retirement Development Commission in the Office of the Secretary; \$2,200,000 for the state aid to public libraries in the Office of State Library of Louisiana; \$2,278,266 and 47 positions for the state historic site operations in the Office of State Parks; \$675,000 for the World Cultural Economic Forum in the Office of Cultural Development; \$455,000 for the Main Street Program in the Office of Cultural Development."

On motion of Rep. Peterson, the amendments were adopted.

Recess

On motion of Rep. Fannin, the Chairman declared the Committee at recess until 1:00 P.M.

After Recess

Chairman Waddell called the Committee to order at 1:10 P.M.

On motion of Rep. Billiot, the calling of the roll was dispensed with.

Suspension of the Rules

Rep. Monica moved to suspend the rules to consider House Bill No. 1 schedule by schedule.

Rep. Richmond objected.

By a vote of 45 yeas and 30 nays, the Committee refused to suspend the rules.

Rep. Montoucet sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Montoucet and Sam Jones in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 106, between lines 25 and 26, insert the following:

"Provided further, however, that the Department of Health and Hospitals shall not limit the number of prescriptions per calendar month available to a Medicaid recipient to fewer than eight prescriptions per month. However, the department may require a medically necessary override for any prescription for any recipient in excess of eight prescriptions per month for that recipient."

On motion of Rep. Montoucet, the amendments were withdrawn.

Rep. Peterson sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Peterson in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 106, between lines 25 and 29, insert the following:

"Provided, however, that of the monies appropriated herein for Payment to Private Providers Program, \$62,321,289 shall be allocated to the restoration of the 3.5% reduction taken in the Deficit Reduction Plan."

Rep. Peterson moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 38 yeas and 46 nays, the amendments were rejected.

Consent to Correct a Vote Record

Rep. Anders requested the House consent to record his vote on the above Committee of the Whole House Amendments proposed by Rep. Peterson as yeas, which consent was unanimously granted.

Rep. Barrow sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Barrow in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 110, between lines 24 and 25, insert the following:

"Provided, however, that of the monies appropriated herein for Payments to Private Providers, \$900,000 shall be allocated to a waiver program that will provide preterm labor management services to Medicaid-eligible women with high risk pregnancies.

Provided, further, that the secretary of the Department of Health and Hospitals shall seek the necessary Medicaid waivers to implement this program."

Rep. Barrow moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 36 yeas and 54 nays, the amendments were rejected.

Rep. Leger sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Leger in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 116, line 22, after "costs and" delete the remainder of the line and delete line 23 and insert the following:

"shall be used for hemophilia clinical services provided at a federally designated hemophilia treatment center."

On motion of Rep. Leger, the amendments were adopted.

Motion

On motion of Rep. Tucker, the Committee agreed to consider House Bill No. 1 schedule by schedule.

Rep. Sam Jones sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Sam Jones in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 146, after line 58, insert the following:

"Provided, however, that of the monies appropriated herein and in House Bill No. 2 of the 2009 Regular Session of the Legislature to the Office of Coastal Restoration and Management from nonrecurring revenues, at least twenty percent of such monies shall be allocated to projects in the parishes of Lafourche, Terrebonne, St. Mary, Vermilion, Iberia, and Cameron."

On motion of Rep. Sam Jones, the amendments were withdrawn.

Rep. Burrell sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Burrell in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 171, between lines 39 and 40 insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to the Board of Regents for a study to be conducted by the Louisiana State University AgCenter, the Southern University AgCenter, the Louisiana State University Law Center, and the Southern University Law Center to address the decline in the number of small and minority farmers in Louisiana. \$ 250,000"

Rep. Burrell moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 24 yeas and 60 nays, the amendments were rejected.

Rep. Peterson sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Peterson in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 173, between lines 21 and 22, insert the following:

"Notwithstanding any provision of the law to the contrary, payable out of the State General Fund by Statutory Dedications out of the Louisiana Mega-Project Development Fund to the Board of Regents for Higher Education \$ 59,000,000"

Rep. Peterson moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 43 yeas and 52 nays, the amendments were rejected.

Rep. Sam Jones sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Sam Jones in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 176, between lines 26 and 27, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to LSU A&M College for the LSU Hurricane Center \$1,000,000"

Rep. Sam Jones moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 32 yeas and 55 nays, the amendments were rejected.

Rep. Foil sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Foil in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 176, between lines 26 and 27, insert the following:

"Notwithstanding any provision of law to the contrary, payable out of the State General Fund by Statutory Dedications out of the Louisiana Mega-Project Development Fund to LSU A&M College for general operations \$ 16,000,000"

Rep. Foil moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 30 yeas and 59 nays, the amendments were rejected.

Consent to Correct a Vote Record

Rep. St. Germain requested the House consent to correct her vote on the above Committee of the Whole House Amendments proposed by Rep. Foil from nay to yea, which consent was unanimously granted.

Rep. Richard sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Richard in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 190, between lines 20 and 21 insert the following:

"Payable out of the State General Fund (Direct) to the Nicholls State University for the Center for Dyslexia and Related to Learning Disorders \$ 50,000

Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

Rep. Richard moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 33 yeas and 56 nays, the amendments were rejected.

Rep. Nowlin sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Nowlin and Sam Jones in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 211, between lines 39 and 40 insert the following:

"Payable out of State General Fund by Statutory Dedications out of the Overcollections Fund to the Louisiana School for Math, Science, and the Arts \$ 768,097"

Rep. Nowlin moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 49 yeas and 42 nays, the amendments were adopted.

Rep. Gallot sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Gallot in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 219, between lines 36 and 37, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Academic Improvement Fund to the Office of Quality Educators Program for online database for public and nonpublic students and teachers \$ 514,000"

Rep. Gallot moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 41 yeas and 52 nays, the amendments were rejected.

Rep. Dixon sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Dixon in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 225, between lines 37 and 38, insert the following:

"Notwithstanding any provision of the law to the contrary, payable out of State General Fund by Statutory Dedications out of the Louisiana Mega-Project Development Fund to the School and Community Support Program for a \$1,000 one-time salary supplement for all school support personnel and nonpublic lunchroom employees eligible for state salary supplements for the 2009-2010 school year \$ 48,600,000"

Rep. Dixon moved the adoption of the amendments.

Rep. Fannin objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Armes	Hazel	Norton
Badon, A.	Hill	Peterson

Barrow	Hines	Richmond
Brossett	Honey	Ritchie
Burrell	Hutter	Smith, G.
Dixon	Jackson G.	Smith, P.
Edwards	Jackson M.	St. Germain
Franklin	Johnson	Stiaes
Gallot	Jones, R.	Thibaut
Gisclair	Jones, S.	Williams
Guillory, E.	LaFonta	
Hardy	Leger	
Total - 34		

NAYS

Mr. Speaker	Downs	McVea
Abramson	Ellington	Mills
Anders	Ernst	Monica
Arnold	Fannin	Morris
Aubert	Foil	Pearson
Badon, B.	Geymann	Perry
Baldone	Greene	Ponti
Barras	Guillory, M.	Pugh
Billiot	Harrison	Richard
Burford	Henry	Richardson
Burns, H.	Hoffmann	Robideaux
Burns, T.	Howard	Schroder
Carmody	Katz	Simon
Carter	Kleckley	Smiley
Champagne	LaBruzzo	Smith, J.
Chaney	Lambert	Talbot
Connick	Landry	Templet
Cortez	LeBas	Waddell
Danahay	Ligi	White
Doerge	Little	Willmott
Dove	Lopinto	Wooton
Total - 63		

ABSENT

Chandler	Henderson	Pope
Cromer	Montoucet	Roy
Guinn	Nowlin	
Total - 8		

The amendments were rejected.

Rep. Richmond sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Richmond in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 225, between lines 37 and 38, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Academic Improvement Fund to the School and Community Support Program to the Juvenile Court for the parish of Orleans for educational programs to increase student achievement, offer basic skills, instruction, literacy services, GED test preparation, and mentoring for youth \$ 1,300,000"

Rep. Richmond moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 29 yeas and 70 nays, the amendments were rejected.

Rep. Burrell sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Burrell in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 182, between lines 27 and 28, insert the following:

"Provided, however, that of the monies allocated to the LSU Agricultural Center, the amount of \$100,000 shall be used for a study to be conducted by the LSU Ag Center and the Southern University Agricultural and Research and Extension Center to address the decline in the number of small and minority farmers in Louisiana."

AMENDMENT NO. 2

On page 188, between lines 10 and 11, insert the following:

"Provided, however, that of the monies allocated to the Southern University Agricultural and Research and Extension Center, the amount of \$100,000 shall be used for a study to be conducted by the LSU Ag Center and the Southern University Agricultural and Research and Extension Center to address the decline in the number of small and minority farmers in Louisiana."

Rep. Burrell moved the adoption of the amendments.

Rep. Katz objected.

By a vote of 43 yeas and 47 nays, the amendments were rejected.

Rep. Michael Jackson sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Michael Jackson in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 176, between lines 26 and 27, insert the following:

"Notwithstanding any provision of law to the contrary, payable out of the State General Fund by Statutory Dedications out of the Louisiana Mega-Project Development Fund to LSU A&M College for general operations \$ 16,000,000"

AMENDMENT NO. 2

On page 185, between lines 45 and 46 insert the following:

"Notwithstanding any provision of law to the contrary, payable out of the State General Fund by Statutory Dedications out of the Louisiana Mega-Project Development Fund to Southern Agricultural & Mechanical College for general operations \$ 8,000,000"

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Rep. Michael Jackson moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 33 yeas and 60 nays, the amendments were rejected.

Rep. Richmond sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Richmond in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 241, between lines 15 and 16, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to the Orleans Parish District Attorney's Office \$ 3,000,000"

AMENDMENT NO. 2

On page 271, between lines 18 and 19, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to the Orleans Parish Indigent Defenders Program \$ 2,000,000"

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to the Orleans Parish Juvenile Court \$ 2,000,000"

Rep. Richmond moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 27 yeas and 57 nays, the amendments were rejected.

Rep. Dixon sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Dixon in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 271, between lines 18 and 19, insert the following:

"Notwithstanding any provision of the law to the contrary, payable out of State General Fund by Statutory Dedications out of the Overcollections Fund to the Family Counseling Agency, Inc. \$ 678,602"

Rep. Dixon moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 23 yeas and 68 nays, the amendments were rejected.

Rep. Hutter sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Hutter in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 271, between lines 18 and 19, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to St. Bernard Parish, to be expended in the same manner as monies received by the parish pursuant to Act No. 590 of the 2004 Regular Session of the Legislature \$ 635,214"

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to Plaquemines Parish, to be expended in the same manner as monies received by the parish pursuant to Act No. 590 of the 2004 Regular Session of the Legislature \$ 100,053"

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to Cameron Parish, to be expended in the same manner as monies received by the parish pursuant to Act No. 590 of the 2004 Regular Session of the Legislature \$ 37,873"

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to Orleans Parish, to be expended in the same manner as monies received by the parish pursuant to Act No. 590 of the 2004 Regular Session of the Legislature \$ 2,791,364"

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to Jefferson Parish, to be expended in the same manner as monies received by the parish pursuant to Act No. 590 of the 2004 Regular Session of the Legislature \$ 301,183"

Rep. Hutter moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 41 yeas and 59 nays, the amendments were rejected.

Rep. Peterson sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Peterson in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 244, delete lines 1 through 6 in their entirety

AMENDMENT NO. 2

On page 264, delete line 9 in its entirety and insert the following:

"development account programming and
other educational initiatives \$ 275,000"

AMENDMENT NO. 3

On page 271, between lines 18 and 19 insert the following:

"Payable out of the State General Fund (Direct)
to the West Feliciana Parish Police Jury for
student employment and Recreation Initiatives \$ 50,000

Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total.

Payable out of the State General Fund (Direct)
to the City of St. Gabriel for economic
development \$ 25,000

Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total.

Payable out of the State General Fund (Direct)
to the City of Richwood \$ 50,000

Provided, however, that such monies shall only be expended in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the state general fund. In the event that monies deposited into the state general fund from the Insure Louisiana Incentive Program Fund are insufficient to fully fund expenditures subject to the abolition of the fund, each appropriation shall receive the same pro rata share of the monies available which its allocation represents to the total."

On motion of Rep. Peterson, the amendments were adopted.

Motion

On motion of Rep. Fannin, the Committee of the Whole House agreed to rise and report.

ALFRED W. SPEER
Clerk of the House

